

House Watch

A summary of today's House actions;
published daily when the House is in session.



3/20/08

MESSAGES FROM THE SENATE

[HB 5289](#)

(Clemente)

House Bill 5289 (S-1) would require a loan officer registrant to provide written notice to the Commissioner within 10 days after any of the following occurred:

- His or her employment or agency relationship with a licensee or registrant was terminated.
- He or she began employment or an agency relationship with a licensee or registrant.
- There was a change in the home address or any personal telephone number or personal electronic mail address he or she previously provided to the Commissioner.
- He or she was convicted of or pleaded guilty or no contest to a misdemeanor involving embezzlement, forgery, fraud, a financial transaction, or securities, or a felony.

- The House concurred in the Senate substitute S-1 [RC 206: 107 yes, 0 no]

[HB 5861](#)

(Valentine)

The bill would amend the Michigan Transportation Fund law to do the following:

- Extend from April 4, 2008, to September 5, 2008, the deadline for projects to be under construction or let for bid in order to receive funding under the local Federal match program.
- Identify certain projects that would be eligible under the program and exempt from the deadline.

- The House concurred in the Senate substitute [RC 207: 106 yes, 1 no]

[HB 5600](#)

The bill would amend the Michigan Renaissance Zone Act to do all of the following:

- Require the recommendation of the Agriculture Commission for a renaissance zone for a renewable energy facility, if the facility used agricultural crops or residues, or processed products from agricultural crops, as its primary raw material source.
- Expand the definition of "renewable energy facility".
- Increase the number of distinct geographic areas in a renaissance zone that may have no

minimum size requirement.

- Allow the designation of additional distinct geographic areas if they would increase either capital investment or job creation, rather than both.
- Allow a qualified local unit to seek to extend the duration of a zone regardless of whether it had not experienced significant development.
- Allow the board of the Michigan Strategic Fund (MSF) to revoke an extension of a renaissance zone's duration if increased capital investment or job creation would not begin within one year.
- Specify requirements for a written agreement regarding the extension of a renaissance zone's duration.
- Allow the MSF board to designate up to 14, rather 13, additional renaissance zones.
- Allow the MSF board to add property to an existing tool and die renaissance recovery zone under the same terms as the existing recovery zone, if certain conditions were met.
- Specify that a business would not be disqualified from receiving an exemption because it failed to file a business tax return for a year in which it had no tax liability.

- The House concurred in the Senate substitute S-3 [RC 215: 108 yes, 0 no]

HB 5852

(Hildenbrand)

The bill would amend various statutes to provide for State officials to authorize the use of State property without charge for the purpose of producing a film. House Bill 5852 (H-1) would amend the Michigan Military Act; House Bill 5853 (H-1) would amend the Natural Resources and Environmental Protection Act

- The House concurred in the Senate amendment [RC 216: 107 yes, 1 no]

HB 5854

(Clemente)

The bills would amend various statutes to provide for State officials to authorize the use of State property without charge for the purpose of producing a film. House Bill 5854 (H-1) would amend Public Act 286 of 1964, which provides for the organization, powers, and duties of the State Transportation Commission and the Michigan Department of Transportation (MDOT).

- The House concurred in the Senate amendment [RC 217: 108 yes, 0 no]

HB 5858

(Clemente)

The bill would amend the Michigan Business Tax (MBT) Act to do all of the following:

- Allow a qualified taxpayer to claim an MBT credit for a percentage of the taxable value of certain qualified suppliers' or customers' taxable property for up to five years, if the taxpayer received a certificate from the Michigan Economic Growth Authority (MEGA) designating it an anchor company.
- Provide that MEGA could not designate more than five anchor companies each year or approve more than five new credits each year.
- Allow a taxpayer to choose a refund or carry-forward if the taxpayer's credit exceeded its liability.

-- Specify that a credit could be reduced or terminated, or a previously credited amount could be added back to the taxpayer's liability, if a taxpayer failed to meet requirements for receiving the credit.

- The House concurred in the Senate substitute S-1 [RC 218: 107 yes, 1 no]

HB 5511

(Clemente)

The bill would amend the Michigan Business Tax (MBT) Act do the following in regard to tax credits for brownfield projects:-- Increase the maximum amount of a credit for a project for which all credits total \$1.0 million or less, and for a project for which all credits total more than \$1.0 million but not more than \$30.0 million.

-- Provide for higher maximum credits for projects designated as urban development area projects.

-- Revise the maximum amount of all credits that the Michigan Economic Growth Authority (MEGA) may approve each year for projects costing \$2.0 million or less and projects costing more than \$2.0 million but not more than \$10.0 million.

-- Allow MEGA each year to approve 20, rather than 17, projects costing over \$10.0 million; and allow all credits for one, rather than two, of those projects to total more than \$10.0 million but not more than \$30.0 million.

-- Permit a taxpayer to choose between carrying forward the amount of a credit in excess of MBT liability (as currently allowed) or receiving a refund for 75% of the excess and foregoing the remainder.

-- Extend the time for completion of a multiphase project.

-- Delete "certain soft costs", such as bank fees and legal expenses, from the definition of "eligible investment".

- The House concurred in the Senate substitute S-2 [RC 219: 106 yes, 2 no]

FINAL PASSAGE

SB 47

(Allen)

The bill would create the "Water Resource Improvement Tax Increment Finance Authority Act" to do the following:

-- Authorize a municipality (a city, village, or township) to establish a water resource improvement tax increment finance authority by ordinance.

-- Provide for the supervision and control of an authority by a board that included the municipality's chief executive officer and five to nine appointed members.

-- Specify an authority board's powers, including the implementation of a development plan to improve water resource quality.

-- Provide for the financing of authority activities, including borrowing money and issuing bonds.

-- Allow an authority to prepare and submit to the municipality's governing body a TIF plan, which would have to include a development plan for the authority's development area.

- Allow an authority to sell bonds to finance a TIF plan's development program.
- Specify requirements for a development plan.
- Specify requirements for an authority's budget approval process.
- Require the dissolution of an authority that had completed its purpose.
- Authorize the State Tax Commission to institute proceedings to enforce the proposed Act and to promulgate rules for its administration.

- Committee substitute H-1 was adopted
- Melton-2 adopted
- SB 47 advanced to 3rd Reading
- SB 47 was passed [RC 212: 106 yes, 2 no]
- IE was ordered

[HB 4260](#) (Condino)

The bill would amend the Code of Criminal Procedure (MCL 769.16a) to require a court to immediately notify the Department of State Police and the Department of Corrections when a conviction was overturned based on DNA evidence and then require those departments to remove the information pertaining to the conviction from their databases. Specifically, if a conviction was overturned based on DNA evidence, whether on appeal or as a result of a new trial, the clerk of the court entering the disposition would have to immediately report the final disposition to the MSP and DOC on forms approved by the State Court Administrator. The MSP and DOC would then be required to immediately enter the disposition into each database they maintain concerning criminal convictions and also remove from those databases all information indicating that the person had been convicted of the offense.

- Committee substitute H-2 was adopted
- HB 4260 advanced to 3rd Reading
- HB 4260 was passed [RC 208: 108 yes, 0 no]
- IE was ordered

[HB 4602](#) (Schuitmaker)

House Bill 4602 would amend the Uniform Statutory Rule Against Perpetuities (MCL 554.71, 554.72, and 554.75) to specify that the act would not apply to an interest in, or a power of appointment relating to, personal property. The act would therefore apply only to interests in real property. The bill would also delete the word "uniform" in the title and the name of the act since it would no longer be identical to the uniform rule drafted by the National Conference of Commissions on Uniform State Laws. The bill is tie-barred to House Bills 4603 and 4604.

- Committee substitute H-2 was adopted
- HB 4602 advanced to 3rd Reading
- HB 4602 was passed [RC 209: 104 yes, 4 no]
- IE was ordered

HB 5089**(Condino)**

Currently, Chapter X of the Code of Criminal Procedure permits individuals convicted of a felony prior to January 8, 2001 who are currently serving a prison sentence for that felony to petition the circuit court for a DNA test of biological materials identified in the investigation that led to the conviction and for a new trial based on the results of that test. The code provides that the petition must be filed before January 1, 2009. House Bill 5089 would amend the code (MCL 770.16) to revise these provisions.

- Committee substitute was adopted
- Condino-2 was adopted
- HB 5089 advanced to 3rd Reading
- HB 5089 was passed [RC 210: 106 yes, 2 no]
- IE was ordered

SB 1115**(Allen)**

The bill would amend the Michigan Business Tax (MBT) Act to do all of the following:

- o Allow a qualified taxpayer (an anchor company that had influenced a new qualified supplier or customer to open, locate, or expand in Michigan) to claim an MBT credit for payroll attributable to employees of a qualified supplier or customer who performed qualified new jobs, for up to five years, if the taxpayer received a certificate from the Michigan Economic Growth Authority (MEGA).
- o Provide that MEGA could not designate more than five taxpayers as anchor companies in each calendar year and could not approve more than five new credits under the bill in each calendar year.
- o Allow a taxpayer to choose a refund or carry-forward if the taxpayer's credit exceeded its liability.
- o Authorize MEGA to provide that qualified sales to a qualified supplier or customer would not be sales in Michigan for purposes of calculating the sales factor under the MBT for the tax year for which a credit was provided under the bill. The bill provides a method for determining "qualified sales."
- o Allow a credit to be reduced or terminated, or a previously credited amount added back to the taxpayer's liability, if a taxpayer failed to meet requirements for receiving the credit.

- Substitute H-1 was adopted
- SB 1115 advanced to 3rd Reading
- SB 1115 was passed [RC 214: 107 yes, 1 no]
- IE was ordered

SB 105**(Garcia)**

The bill would allow a district court magistrate to, in certain circumstances, arraign for a defendant on a subsequent violation.

- Schuitmaker substitute H-1 was adopted

- SB 105 advanced to 3rd Reading
- SB 105 was passed [RC 220: 104 yes, 3 no]
- IE was ordered

SB 351

(Gilbert)

Senate Bill 351 would add counties to the local units of government authorized to enact ordinances to regulate signs and sign structures under provisions of the Act.

- Committee amendment not adopted
- SB 351 advanced to 3rd Reading
- SB 351 was passed [RC 211: 82 yes, 25 no]
- IE was ordered

SB 885

(Kahn)

The bill would amend the Michigan Renaissance Zone Act to do all of the following:

- Require the recommendation of the Agriculture Commission, in addition to that of the Michigan Strategic Fund (MSF) board, for the State Administrative Board to designate a renaissance zone for a renewable energy facility that used agricultural crops or residues or processed products from agricultural crops as its primary raw material source.
- Allow the MSF board to expand a tool and die renaissance recovery zone if the additional real property were contiguous to and would become a qualified tool and die business property, and the city, village, or township where it was located consented.
- Allow a business located and conducting business in a renaissance zone to receive a tax credit provided under the Michigan Business Tax Act.

- Substitute H-3 was adopted
- Mayes amendment was adopted
- SB 885 advanced to 3rd Reading
- SB 885 was passed [RC 213: 108 yes, 0 no]
- IE was ordered

HB 5810

(Gillard)

Judiciary appropriations for fiscal year 2008-2009.

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- Committee substitute H-1 adopted
- HB 5810 advanced to 3rd Reading
- HB 5810 was passed [RC 221: 65 yes, 41 no]
- IE was ordered

HB 5811

(LeBlanc)

Department of State Police appropriations for fiscal year 2008-2009.

- Substitute H-1 adopted
- Acciavatti-2 was adopted [RC 222: 74 yes, 33 no]
- Rick Jones-3 was not adopted
- Leblanc-4 was adopted
- The Rick Jones-3 amendment was reconsidered and adopted
- HB 5811 advanced to 3rd Reading
- HB 5811 was passed [RC 223: 106 yes, 1 no]
- IE was ordered

HB 5812

(LeBlanc)

Department of Military and Veterans Affairs appropriations for fiscal year 2008-2009.

- Substitute H-1 was adopted
- Acciavatti-2 was adopted
- Moore-3 was not adopted
- LeBlanc-4 was adopted
- LeBlanc-5 was adopted
- HB 5812 advanced to 3rd Reading
- HB 5812 was passed [RC 224: 107 yes, 0 no]
- IE was ordered

HB 5809

(Hammel)

DLEG appropriations for fiscal year 2008-2009.

- Substitute H-3 was adopted
- Hune-2 was adopted [RC 225: 64 yes, 43 no]
- Pavlov-3 was adopted [RC 226: 94 yes, 12 no]
- Caswell-4 was adopted [RC 227: 63 yes, 44 no]
- Knollenberg-5 was adopted [RC 228: 79 yes, 28 no]
- Amos-6 was adopted
- Hammel-7 was adopted
- Hammel-8 was adopted
- Substitute H-3 was reconsidered and not adopted
- HB 5809 advanced to 3rd Reading
- Knollenberg amendment not adopted
- Hammel substitute H-5 was adopted
- Knollenberg amendment not adopted
- HB 5809 was passed [RC 229: 59 yes, 48 no]
- IE was not ordered [RC 230: 59 yes, 48 no]

HB 5808**(Gonzales)**

Department of Transportation appropriations for fiscal year 2008-2009.

- Substitute H-1 was adopted
- Agema amendment was adopted
- Elsenheimer amendment was not adopted
- Agema amendment was adopted [RC 231: 98 yes, 9 no]
- Gonzales amendment was adopted
- Agema amendment was not adopted
- Moolenaar amendment was adopted
- Gonzales amendment was adopted
- Pavlov amendment was adopted [RC 232: 73 yes, 34 no]
- HB 5805 advanced to 3rd Reading
- Gonzales substitute H-2 was adopted
- Gonzales amendment adopted
- HB 5808 was passed [RC 233: 57 yes, 50 no]
- IE was not ordered [RC 234: 58 yes, 48 no]

HB 5344**(Cushingberry)**

Multi-departmental supplemental appropriations for fiscal year 2007-2008.

- Substitute H-1 was adopted
- Acciavatti amendment adopted
- Caswell amendment adopted
- Booher amendment was not adopted [RC 235: 42 yes, 64 no]
- Robertson amendment was not adopted
- HB 5344 advanced to 3rd Reading
- Substitute H-8 was adopted
- HB 5344 was passed [RC 236: 61 yes, 45 no]
- IE was ordered

HB 4965**(Walker)**

The Department of Natural Resources (DNR) conveyed public land in Kalkaska County to Clearwater Township in 2002 with the requirement that it be used exclusively for public recreation or revert to the state. The bill would require the DNR to convey its reversionary interest as to .24 acres (just under one-quarter of an acre) of this land to Clearwater Township for one dollar, in effect removing the restriction that it be used only for public recreation. The bill would free Clearwater Township to sell this portion of the land for one dollar to private landowners who mistakenly built an addition to their house on it.

- Walker amendment was adopted
- HB 4965 advanced to 3rd Reading
- HB 4965 was passed [RC 237: 105 yes, 1 no]
- IE was ordered

HB 5816 (Cheeks)

General government appropriations for fiscal year 2008-2009.

- Substitute H-1 was not adopted
- HB 5816 advanced to 3rd Reading
- Substitute H-3 was adopted
- HB 5816 was passed [RC 238: 58 yes, 48 no]
- IE was not ordered [RC 239: 59 yes, 47 no]

THIRD READING

SB 120 (Scott)

The bill would amend the Social Welfare Act (MCL 400.14j) to require the Department of Human Services to issue regular food assistance benefits two times per month to an individual who is eligible for food assistance benefits of \$100 per month or more. The department could continue to issue food assistance benefits one time per month to recipients receiving assistance benefits less than \$100 per month. The department could also continue to issue food assistance benefits to the recipient on a staggered basis based on the case ending digit. The bill would not apply to the issuance of initial food benefits, retroactive assistance benefits, or supplemental food assistance benefits. (A similar bill, House Bill 4923, is on the House floor.)

- SB 120 advanced to 3rd Reading
- SB 120 was passed temporarily

MOTIONS AND RESOLUTIONS

HR 306 (Valentine)

A resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

- HR 306 was adopted

HCR 78**(Brown)**

A concurrent resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

- HCR 78 was adopted

HCR 79**(Tobocman)**

A concurrent resolution prescribing the legislative schedule.

- HCR 79 was adopted

HR 311**(McDowell)**

A resolution to recognize and declare the third week of March 2008 as Carbon Monoxide Awareness Week.

- HR 311 was adopted

HR 312**(Amos)**

A resolution proclaiming March 26, 2008, as Support Our Troops Day in the state of Michigan.

- HR 312 was adopted

HR 314**(Sak)**

A resolution designating March 26, 2008, as Support our Troops and their Families Day in the state of Michigan.

- HR 314 was adopted